

VZCZCXYZ0000
RR RUEHWEB

DE RUEHNT #0144/01 0321459
ZNY CCCCC ZZH
R 011459Z FEB 08
FM AMEMBASSY TASHKENT
TO RUEHC/SECSTATE WASHDC 9163
INFO RUEHAA/AMEMBASSY ASHGABAT 3698
RUEHTA/AMEMBASSY ASTANA 9908
RUEHEK/AMEMBASSY BISHKEK 4312
RUEHLM/AMEMBASSY COLOMBO 0174
RUEHDK/AMEMBASSY DAKAR 0075
RUEHDBU/AMEMBASSY DUSHANBE 0190
RUEHIL/AMEMBASSY ISLAMABAD 3903
RUEHBUL/AMEMBASSY KABUL 2170
RUEHKT/AMEMBASSY KATHMANDU 0262
RUEHNE/AMEMBASSY NEW DELHI 0848
RUEHNO/USMISSION USNATO 1748
RUEHGV/USMISSION GENEVA 0979
RUCNDT/USMISSION USUN NEW YORK 0116
RUEHVEN/USMISSION USOSCE 2297
RUEKJCS/SECDEF WASHINGTON DC
RHEFDIA/DIA WASHDC
RUEAIIA/CIA WASHDC
RHEHNSC/NSC WASHINGTON DC

C O N F I D E N T I A L TASHKENT 000144

SIPDIS

SIPDIS

DEPT FOR SCA/CEN AND DRL

E.O. 12958: DECL: 02/01/2018

TAGS: PHUM KIRF PGOV UZ

SUBJECT: BUKHARA AUTHORITIES DETAIN, THEN RELEASE HUMAN
RIGHTS ACTIVISTS

REF: A. TASHKENT 126

1B. TASHKENT 127

1C. 07 TASHKENT 2153

Classified By: POLOFF R. FITZMAURICE FOR REASONS 1.4 (B, D)

11. (C) Summary: Authorities in Bukhara released without charge two Human Rights Alliance activists on January 30 after holding them in detention for approximately eight hours. The two activists were initially detained as they tried to hold a protest in front of the Bukhara Province Criminal Court, where a case began the same day against 14 individuals charged with religious extremism. The activists' detention received widespread attention from independent and international media representatives, which Urlayeva believed played a role in their release. We believe this case, and the continued tolerance of small weekly protests of Alliance members outside of the General Prosecutor's Office in Tashkent, are the products of a conscious GOU policy decision. End summary.

ACTIVISTS ARRESTED WHILE PROTESTING IN FRONT OF COURT

12. (C) Authorities in Bukhara released two Human Rights Alliance activists, Elena Urlayeva and Abdillo Tojiboy ugli, on January 30 after holding them in detention for approximately eight hours (ref A). The two activists were initially detained shortly after mounting a protest in front of the Bukhara Province Criminal Court, where a court case began the same day against 14 men charged with religious extremism. According to Urlayeva, who spoke with poloff on January 31, the protest consisted of the two activists holding up a banner calling for criminal charges to be brought against Khalil Maruf, one of the National Security Service officials allegedly involved in fabricating evidence against the 14 men on trial.

ACTIVISTS HELD FOR APPROXIMATELY EIGHT HOURS

13. (C) After their arrest, the two activists were brought to the Ministry of Internal Affairs building in Bukhara, where they were held for approximately eight hours. During this time, Urlayeva alleged that one of the Ministry of Internal Affairs officers roughly handled her, hurting one of her arms. After Urlayeva threatened to report the officer, she was provided with medical assistance. Urlayeva told poloff that her injury was not serious. The two activists have since returned to Tashkent and are in good health.

RELEASED WITH AN APOLOGY...AND DINNER

14. (C) Before their release, Urlayeva thought police were going to charge her and Tojiboy ugli with holding an illegal demonstration, an administrative offence carrying a fine and possible maximum detention of fifteen days. Police eventually decided not to charge the two activists, and the Ministry of Internal Affair's Deputy Chief even apologized to them for the "rude behavior" of his officers. Furthermore, the Deputy invited Urlayeva and Tojiboy ugli to dinner at a local restaurant as a sign of reconciliation.

UPON RETURN TO TASHKENT, ACTIVISTS IMMEDIATELY JOIN PROTEST

15. (C) Upon their return to Tashkent on January 31, the two activists immediately joined another protest held by other Human Rights Alliance activists in front of the General Prosecutor's Office. The Human Rights Alliance has been

holding the protest - consisting of approximately four to eight Alliance members holding placards criticizing President Karimov's recent reelection and calling for the release of prisoners (including human rights activist Mutabar Tojiboyeva and dissident poet Yusuf Jumaev) - every Thursday since December 20 (ref C). So far, authorities have allowed the protests to go ahead and none of the protestors has appeared to suffer any negative consequences from their participation.

DETENTION OF ACTIVISTS WIDELY REPORTED BY MEDIA REPS

16. (C) The detention of the two activists and their subsequent release was widely reported by international press agencies and independent websites, including Agence France Presse, the British Broadcasting Corporation, Ferghana.ru, and Uznews.net. Urlayeva speculated that it was the wide-scale press attention, as well as the interest displayed by foreign Embassies, including the United States, which led police to release the two activists without charges.

ONE VERY BUSY LAWYER

17. (C) Urlayeva also believed that another factor in their release was the intervention of a lawyer, Rusliddin Khamilov. In addition to intervening in their case, Khamilov is also reportedly representing the 14 men on trial for religious extremism and imprisoned poet Yusuf Jumaev. On January 30, the Ambassador was informed by Swiss Ambassador Peter Burkhard that his Embassy was providing a lawyer for Jumaev (ref B). It is likely that Khamilov is the lawyer being provided by the Swiss Embassy, although this has not yet been confirmed by poloff. According to Urlayeva, Khamilov has not been able to visit Jumaev in prison. She added that authorities have dropped the most serious charge against Jumaev of anticonstitutional activities, but two other charges remain: insulting the dignity of the President and resisting arrest. Jumaev's son Bobur, who also remains in pre-trial detention with his father, is charged solely with resisting arrest.

¶18. (C) According to Urlayeva, the 14 men are all being tried together at the Bukhara Province Criminal Court for a series of criminal code violations, including Wahhabism and terrorism. She believed (without explaining why) that the charges against the men were fabricated and that they were targeted because they are pious Muslims. The trial was closed and authorities did not permit any outside observers to attend, including human rights activists and family members. Interestingly, Urlayeva said that most of the men appeared not to know each other and were mostly from the town of Shakhrisabz and other villages in Kashkadarya province, rather than from Bukhara province. She theorized that the trial was held in Bukhara because it would be more difficult for family members to travel to Bukhara to observe the trial (and it appears that those who still traveled to Bukhara were not allowed to attend anyway.)

COMMENT

¶19. (C) Both Tojiboy ugli and Urlayeva have been detained on many other occasions over the past few years, usually before public protests organized by the Human Rights Alliance. We agree with Urlayeva that the widespread media attention to their most recent detention played a role in their release

and the dropping of charges against them. However, we also believe that their relatively speedy release - as well as the continued toleration of the Alliance's Thursday protests in Tashkent - illustrates how officials have recently begun to react less harshly to professional (but ultimately harmless) protestors like Tojiboy ugli and Urlayeva. This may reflect an easing of the clampdown which preceded the December 23 presidential election. It is also possible that authorities are worried about the EU's upcoming April decision on whether to reinstate a largely symbolic visa ban against GOU officials, and about U.S. visa measures that could come into effect this spring. But it may also be another sign that Uzbek authorities are interested in pursuing increased dialogue on human rights issues.

¶10. (C) On the other hand, the case against the 14 men is a reminder that fears of political Islam still loom large. Authorities continue to charge persons with religious extremism on a regular basis, especially in Uzbekistan's regions, and not of all of these cases are brought to the attention of the Embassy. It is impossible for the Embassy to verify Urlayeva's claim that the charges against the men were fabricated, but the details surrounding the case, including that the men do not appear to all know each other and are being tried away from their home province, suggests that the charges against them could very well lack merit. We will seek to acquire more details from their lawyer, Khamilov.

¶11. (C) Finally, it is worth noting that the complaint we have long had with the GOU is the fact that extremism trials are procedurally flawed and often involve charges of police coercion or abuse. On the one hand, we need to be careful with knee-jerk claims from activists or international human rights organizations that defendants in such trials are simply pious Muslims, or that the GOU rounds up all those who are pious. There are plenty of examples of pious Muslims in Uzbekistan who are able to practice their faith without undue interference. On the other hand, Uzbek authorities cut a very wide swathe in their battle against religious extremism, and undoubtedly some individuals are arrested and tried who are not extremists. This continued phenomenon underscores the U.S. position that we should continue to press for the implementation of due process guarantees, especially in trials involving alleged religious extremists.

NORLAND